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10 ROSS DRESS FOR LESS, INC., and
11 CRISTAL ARREDONDO

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

CARL A. BENSON,

Plaintiff,

vs.

ROSS DRESS 4 LESS; CRISTAL
ARREDONDO,

Defendants.

CASE NO.: 08cv0192-LAB (AJB)

**STIPULATED
DISMISSAL WITH PREJUDICE;
AND ORDER THEREON
[FRCP 41]**

Pursuant FRCP 41, Plaintiff CARL A. BENSON and Defendants ROSS DRESS FOR LESS, INC. (erroneously sued herein as Ross Dress 4 Less) and CRISTAL ARREDONDO, hereby stipulate, and by this Stipulation request the Court's approval, to the following:

1 1. Plaintiff CARL A. BENSON hereby dismisses with prejudice his entire action, as
2 to all parties and all claims.

3 2. All parties agree to pay for their own costs and/or attorneys fees.
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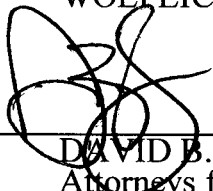
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8 DATED: April 28, 2008

BY:


CARL A. BENSON
Plaintiff

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14 DATED: April 28, 2008

BY:

WOLFELICK & SIMPSON

DAVID B. SIMPSON
Attorneys for Defendants
ROSS DRESS FOR LESS, INC., and
CRISTAL ARRENDONDO

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18 **IT IS SO ORDERED.**
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21 Dated: _____

United States District Court

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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the county of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 130 North Brand Boulevard, Glendale, California 91203.

On April 29, 2008, I served the foregoing document described as: **STIPULATED DISMISSAL WITH PREJUDICE; AND ORDER THEREON** on the interested parties in this action by placing a true copy thereof enclosed in sealed envelope(s) addressed as follows:

Carl A. Benson (Pro Se)
4240 Felson Street
23
San Diego, California 92104

XXX (BY MAIL) as follows: I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at Glendale, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit of mailing in affidavit.

— (BY PERSONAL SERVICE) I delivered such envelope by hand to the offices of the addressee(s).

— (BY OVERNIGHT COURIER) I caused to be delivered via overnight courier to the offices of the addressee(s).

— (BY FACSIMILE) I faxed the above-document to the addressee at (310) 792-7459.

— (State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

XXX (Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on April 29, 2008, at Glendale, California.

VILMA R. GOMEZ-ESPINOZA

